

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JENNIFER GERING, individually  
and as the parent and natural  
guardian of BRAXTYN HESPE,  
DYLAN GERING, and  
TREVYN GERING,

7:13CV5009

Plaintiffs,

ORDER

vs.

DANNY DEUTSCH, d/b/a  
DEUTSCH TRUCKING,

Defendant.

This matter is before the court on the plaintiffs' Motion to Strike Defendant's Supplemental Expert Witness Disclosure and Proposed Expert Witnesses (Filing No. 40) and the defendant's Motion to Modify the Scheduling Order (Filing No. 45). The court held a telephone conference on October 29, 2014, with Amy L. Patras representing the plaintiffs and Erin C. Duggan Pemberton representing the defendant. After consultation with counsel,

**IT IS ORDERED:**

1. The plaintiffs' Motion to Strike Defendant's Supplemental Expert Witness Disclosure and Proposed Expert Witnesses (Filing No. 40) is denied.
2. The defendant's Motion to Modify the Scheduling Order (Filing No. 45) is granted as set forth herein.
3. The Order (Filing No. 36) is amended as follows:
  - a. The defendant shall have until **November 17, 2014**, to complete expert witness disclosures, except the defendant shall have until **December 1, 2014**, to have its expert, Dr. Mark Dietrich, conduct a medical examination of the plaintiff and complete expert disclosures.
  - b. The plaintiffs shall have until **December 15, 2014**, to complete rebuttal expert witness disclosures, except the plaintiff shall have until **January 9, 2015**, to complete rebuttal expert witness disclosures with regard to Dr. Dietrich's disclosures.
  - c. The parties shall have until **January 12, 2015**, to file motions in limine challenging the admissibility of expert witness testimony.

4. A telephone planning conference with the undersigned magistrate judge remains scheduled for **January 15, 2015, at 10:00 a.m.**, for the purpose of reviewing the preparation of the case to date and the scheduling of the case to trial. The plaintiffs' counsel shall initiate the call.

Dated this 29th day of October, 2014.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge